



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Van Gelder, et al  
Serial No.: 09/713,545  
Filed: November 15, 2000  
For: *Multi-Gene Expression Profile*

Art Unit: 1636  
Examiner: Gerald G. Leffers Jr., Ph.D.

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

Applicant hereby brings to the attention of the Examiner the documents noted on the accompanying Form PTO-1449. This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits.

It is respectfully requested that the information cited herein be expressly considered during the prosecution of this application and made of record on any patent to issue therefrom. Inclusion of a reference on the enclosed 1449 is not to be construed as indicating the reference is prior art. Provision of this Information Disclosure Statement is not to be taken as evidence that a search has been conducted.

The Commissioner is hereby authorized to charge any cost that may be due to Deposit Account No. 17-0055.

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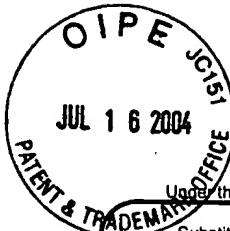
July 16, 2004

Respectfully submitted,  
**QUARLES & BRADY STREICH LANG, LLP**  
By: Barbara J. Luther  
Barbara J. Luther, Reg. No. 33,954

Attorney Docket No. 112133.00003

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 16

### Complete if Known

Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder, et al
Art Unit	1636
Examiner Name	Gerald G. Leffers Jr., Ph.D.

Attorney Docket Number 112133.00003

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
1	US-	3,007,780	02/19/63	Takatsy	
2	US-	3,252,331	05/24/66	Lancaster	
3	US-	4,357,421	11/02/82	Emtage et al	
4	US-	4,503,151	03/05/85	Paddock	
5	US-	4,661,450	04/28/87	Kempe et al	
6	US-	4,683,195	07/28/87	Mullis et al	
7	US-	4,683,202	07/28/87	Mullis	
8	US-	4,738,669	4/19/88	Vlock	
9	US-	4,959,313	9/25/90	Taketo	
10	US-	4,965,188	10/23/90	Mullis et al	
11	US-	4,987,783	01/01/91	Augenlicht	
12	US-	5,021,335	06/04/91	Tecott et al	
13	US-	5,057,410	10/15/91	Kawasaki et al	
14	US-	5,130,238	07/14/92	Malek et al	
15	US-	5,409,818	04/25/95	Davey et al	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
1	WO	88/01302	02/25/88	Gingeras et al		
2	WO	88/10315	12/29/88	Gingeras et al		
3	WO	89/01050	02/09/89	Burg et al		
4	WO	90/06995	06/28/90	Gingeras et al		
5	EP	0052002	5/19/82	Tacon et al		
6	EP	0062971	10/20/82	Atherton et al		

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Sheet 3 of 16

**Complete if Known**

<b>Application Number</b>	09/713,545
<b>Filing Date</b>	November 15, 2000
<b>First Named Inventor</b>	Van Gelder, et al
<b>Group Art Unit</b>	1636
<b>Examiner Name</b>	Gerald G. Leffers Jr., Ph.D.

FOREIGN PATENT DOCUMENTS						
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17	EP	0219814		Ueda et al	04/29/87	
18	EP	0271824		Hauptmann et al	06/22/88	
19	EP	0281391		Ingolia et al	09/07/88	
20	EP	0282185		Otsuk	09/14/88	
21	EP	0289479		Fischhoff et al	11/02/88	
22	EP	0320148		Arakawa et al	06/14/89	
23	EP	0329822		Davey et al	08/30/89	
24	EP	0373960		Gingeras et al	06/20/90	
25	EP	06236831		Gingeras	11/09/94	

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				Art Unit	1636
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Sheet	4	of	16	Attorney Docket Number	112133.00003

<b>OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	1	Butler, E.T. et al. "Bacteriophage SP6-specific RNA Polymerase," (1982) J. of Biol. Chem. 257(10): 5772-5778.		T <sup>2</sup>
	2	Cha, T. et al. "Studies of the DNA Helicase-RNA Primase Unit from Bacteriophage T4," (1986) J. of Biol. Chem. 261(15): 7001-7010.		
	3	Chu, B.C.F. et al. "Synthesis of an Amplifiable Reporter RNA for Bioassays," (1986) Nucleic Acids Res. 14(14): 5591-5603.		
	4	COUTLEE, F. et al. "Immunodetection of DNA with Biotinylated RNA Probes: A Study of Reactivity of a Monoclonal Antibody to DNA-RNA Hybrids," (1989) Analytical Biochem. 181: 96-105		
	5	COVA, L. et al. "Use of cRNA Probes for the Detection of Enteroviruses by Molecular Hybridization," (1988) J. of Med. Virology 24: 11-18.		
	6	DALESSIO, J.M. et al. "Second-Strand cDNA Synthesis with EColi DNA Polymerase I and RNase H: The Fate of Information at the mRNA 5' Terminus and the Effect of E.Coli DNA Ligase." (1988) Nucleic Acids Res. 16(5): 1999-2014.		
	7	DEAN, R.R. et al. "Narcolepsy Without Unique MHC Class II Antigen Association: Studies in the Canine Model," (1989) Human Immunology 25: 27-35.		
	8	DEINIGER, P.L. "Full-Length cDNA Clones: Vector-Primed cDNA Synthesis," (1987) In Methods in Enzymology Volume 152 Guide to Molecular Cloning, Berger, S.L. et al. eds Academic Press Inc San Diego pp. 371-389		
	9	DENNY, P. et al. "Oligo-Riboprobes," (1988) Histochemistry 89: 481-483.		
	10	DEVOS, R. et al. (1988). "Slippage of DNA Polymerase I During Synthesis of ds-cDNA," (1988) Nucleic Acids Res. 16(4): 1630.		

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Sheet

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16

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Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder, et al
Group Art Unit	1636
Examiner Name	Gerald G. Leffers Jr., Ph.D.
Attorney Docket Number	112133.00003

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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	11	Butler, E.T. et al. "Bacteriophage SP6-specific RNA Polymerase," (1982) J. of Biol. Chem. 257(10): 5772-5778.	
	12	Cha, T. et al. "Studies of the DNA Helicase-RNA Primase Unit from Bacteriophage T4," (1986) J. of Biol. Chem. 261(15): 7001-7010.	
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	20	DEVOS, R. et al. (1988). "Slippage of DNA Polymerase I During Synthesis of ds-cDNA," (1988) Nucleic Acids Res. 16(4): 1630.	
	21	DOHERTY, P.J. et al. "Rapid Amplification of Complementary DNA from Small Amounts of Unfractionated RNA," (1989) Analytical Biochemistry 177: 7-10.	

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
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	22	DUNN, T.J. et al. "Phenobarbital-Inducible Aldehyde Dehydrogenase in the Rat," (1989) J. of Biol. Chem. 264(22): 13057-13065.
	23	EBERWINE, J.H. et al. "Glucocorticoid Regulation of Pro-Opiomelanocortin Gene Transcription in the Rat Pituitary," (1984) J. of Biol. Chem. 269(4): 2166-2170.
	24	EBERWINE, J.H. et al. "Isolation of Enzyme cDNA Clones by Enzyme Immunodetection Assay: Isolation of a Peptide Acetyltransferase," (1987) Proc. Natl. Acad. Sci. USA 84: 1449-1453.
	25	ENDO, F. et al. "Primary Structure and Gene Localization of Human Prolidase," (1989) J. of Biol. Chem. 264(8): 4476-4481.
	26	FEINBERG, A.P. et al. "A Technique for Radiolabeling DNA Restriction Endonuclease Fragments to High Specific Activity," (1983) Analytical Biochem. 132: 6-13.
	27	FOSTER, J.L. et al. "Cloning, Sequence, and Expression of the Drosophila cAMP-Dependent Protein Kinase Catalytic Subunit Gene," (1988) J. of Biol. Chem. 263(4): 1676-1681.
	28	FOUTZ, A.S. et al. "Genetic Factors in Canine Narcolepsy," (1979) Sleep. 1(4): 413-422.
	29	FRADKIN, L.G. et al. "Primer-Dependent Eukaryotic RNA Polymerase Capable of Accurate Transcription from the Adenovirus Major Late Promoter in a Reconstituted System," (1985) Proc. Natl. Acad. Sci. USA 82: 7979-7983.
	30	FRECH, G.C. et al. "Construction of Directional cDNA Libraries Enriched for Full-Length Inserts in a Transcription-Computer Vector," (1989) (PubMed Abstract) Gene Anal. Tech. 6(2): 33-38.
	31	FROHMAN, M.A. et al. "Rapid Production of Full-Length cDNAs from Rare Transcripts: Amplification Using a Single Gene-Specific Oligonucleotide Primer," (1988) Proc. Natl. Acad. Sci. USA 85: 8998-9002.
	32	FULLER, C.W. et al. "Initiation of DNA Replication at the Primary Origin of Bacteriophage T7 by Purified Proteins," (1985) J. of Biol. Chem. 260(5): 3185-3196.

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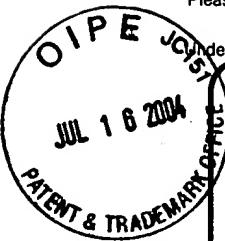
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### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials'	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	33	GAUBATZ, J. et al. "Strategies for Constructing Complementary DNA for Cloning," (1982) J. Theor. Biol. 95: 679-696.	
	34	GAUBATZ, J. et al. (1985). "Displacement Synthesis of Globin Complementary DNA: Evidence for Sequence Amplification," (1985) Biochimica et Biophysica Acta 825: 175-187.	
	35	GINGERAS, T.R. et al. "Nucleotide Sequences from the Adenovirus-2 Genome," (1982) J. of Biol. Chem. 267(22): 13475-13491.	
	36	GINGERAS, T.R. et al. (1987). "Hybridization Properties of Immobilized Nucleic Acid," (1987) Nuc. Acids Res. 15(13) 5373-5390.	
	37	GOODMAN, T.C. et al. "Effects of Neighboring DNA Homopolymers on the Biochemical and Physical Properties of the Escherichia coli Lactose Promoter," (1982) J. of Biol. Chem. 257(21): 12970-12978.	
	38	GOPALAKRISHNA, Y. et al. "The Synthesis of DNA Complementary to Polyadenylate-Containing RNA from Bacillus Subtilis," (1982) J. of Biol. Chem. 257(6): 2747-2750.	
	39	GOULD, S.J. et al. (1989). "Use of the DNA Polymerase Chain Reaction for Homology Probing: Isolation of Partial cDNA or Genomic Clones Encoding the Iron-Sulfur Protein of Succinate Dehydrogenase from Several Species," (1989) Proc. Natl. Acad. Sci. USA 86: 1934-1938.	
	40	GRUOL, D.L. et al. "Multiple Voltage-Sensitive K+ Channels Regulate Dendritic Excitability in Cerebellar Purkinje Neurons," (1989) (PubMed Abstract) Neurosci. Lett. 97(1-2): 97-102.	
	41	GUATELLI, J.C. et al. "Nucleic Acid Amplification In Vitro: Detection of Sequences with Low Copy Numbers and Application to Diagnosis of Human Immunodeficiency Virus Type 1 Infection," (1989) Clin. Microbiol. Revs. 2(2): 217-226.	
	42	GUBLER, U. et al. (1983). "A Simple and Very Efficient Method for Generating cDNA Libraries," (1983) Gene 25: 263-269.	
	43	GUBLER, U. et al. "Second-Strand cDNA Synthesis: Classical Method," (1987) In Methods in Enzymology Volume 152 Guide to Molecular Cloning, Berger, S.L. et al. eds., Academic Press, Inc., San Diego. pp. 325-335.	

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Sheet	8	of	16	Attorney Docket Number	112133.00003

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
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	44	HAAS, R.C. et al. "Isolation and Characterization of the Gene and cDNA Encoding Human Mitochondrial Creatine Kinase," (1989) J. of Biol. Chem. 264(5): 2890-2897.	
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				Filing Date	November 15, 2000
				First Named Inventor	Van Gelder et al
				Group Art Unit	1636
				Examiner Name	Gerald G. Leffers Jr., Ph.D.
Sheet	9	of	16	Attorney Docket Number	112133.00003

<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	55	JOELS, M. et al. "Unique Properties of Non-N-Methyl-D-Aspartate Excitatory Responses in Cultured Purkinje Neurons," (1989) (PubMed Abstract) Proc. Natl. Acad. Sci. USA 86(9): 3404-3408.	
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Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder et al
Group Art Unit	1636
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Sheet	11	of	16	Attorney Docket Number	112133.00003
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Group Art Unit	1636
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				Filing Date	November 15, 2000
				First Named Inventor	Van Gelder et al
				Group Art Unit	1636
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First Named Inventor	Van Gelder et al
Group Art Unit	1636
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	99	PORTELA, A. et al. "A Polymer Vector System That Allows Temperature Dependent Gene Amplification and Expression in Mammalian Cells: Regulation of the Influenza Virus NS1 Gene Expression," (1985) Nucleic Acids Res. 13(22): 7959-7977.
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	J	SCHOWALTER, D.B. et al. "The Generation of Radiolabeled DNA and RNA Probes with Polymerase Chain Reaction," (1989) Analytical Biochem. 177: 90-94.

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First Named Inventor	Van Gelder et al
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	K	STOFLET, E.S. et al. "Genomic Amplification with Transcript Sequencing," (1988) Science 239: 491-494.	
	L	STRUHL, K. "Naturally Occurring Poly(dA-dT) Sequences are Upstream Promoter Elements for Constitutive Transcription in Yeast," (1985) Proc. Natl. Acad. Sci. USA 82: 8419-8423.	
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	V	VALENTINO, K.L. et al. "Distribution of Neuropeptide K-Immunoreactivity in the Rat Central Nervous System," (1986) Peptides 7: 1043-1059.	
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### Complete if Known

Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder et al
Group Art Unit	1636
Examiner Name	Gerald G. Leffers Jr., Ph.D.

Attorney Docket Number 112133.00003

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A7	TEXTBOOK: ALBRETS, B. et al. eds. Molecular Biology of the Cell, Second Edition, (1989) Garland Publishing, Inc., New York.	
	A8	TEXTBOOK: BERGER, S.L. et al. eds. Methods in Enzymology Volume 152 Guide to Molecular Cloning, (1987) Academic Press, Inc., San Diego.	
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	B1	TEXTBOOK: SAMBROOK, et al. eds. Molecular Cloning A Laboratory Manual, Second Edition, (1989) Cold Spring Harbor Laboratory Press, USA.	
	B2	TEXTBOOK: WATSON, J.D. et al. eds. Molecular Biology of the Gene, Fourth Edition, Vol. I General Principles, (1987) The Benjamin/Cummings Publishing Company, Inc. Menlo Park.	
	B3	TEXTBOOK: WATSON, J.D. et al. eds. Molecular Biology of the Gene, Fourth Edition, Vol. II Specialized Aspects, (1987) The Benjamin/Cummings Publishing Company, Inc., Menlo Park.	
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